

REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed October 19, 2005. At the time of the Final Office Action, Claims 1-5, 11-12, and 14-19 were pending in this Application. Claims 6-10 and 13 were previously cancelled by Applicants without prejudice or disclaimer. Claims 1-5, 11, 12 and 14-15 were rejected, and Claims 16-19 were objected to. Claims 1-5, 11, 12 and 14 are hereby cancelled without prejudice or disclaimer. Applicants respectfully request reconsideration and favorable action in this case.

Double Patenting Rejection

The Examiner rejected Claim 15 based on the judicially created doctrine of obviousness-type double patenting over Claim 13 of U.S. Patent Application Serial Number 10/027,963 filed by Helmut Windl et al. (hereinafter "'963 application"). Applicants submit herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321. The '963 application and the instant patent application are commonly owned by Siemens AG.

Rejections under 35 U.S.C. §103

Claims 1-5 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 6,404,443 issued to Larry Alan Westerman ("Westerman") and further in view of U.S. Patent 5,675,748 issued to Ross ("Ross"). Claims 11-12 and 14 were rejected under 35 U.S.C. §103(a) as being unpatentable over Westerman in view of Ross, and further in view of U.S. Patent 5,638,505 issued to Kathleen Hemenway et al. ("Hemenway").

Applicants respectfully traverse and submit the above-mentioned cited art combinations, even if proper, which Applicants do not concede, do not render the claimed embodiment of the invention obvious. However, to expedite prosecution of the instant application, Applicants cancel Claims 1-5, 11-12 and 14 without prejudice or disclaimer.

Allowable Subject Matter

Applicants appreciate Examiner's consideration and indication that Claims 15-19 would be allowable if the Double Patenting rejection above can be overcome. Applicants submit herewith a Terminal Disclaimer in compliance with 37 C.F.R. 1.321, and respectfully request allowance of Claims 15-19.

CONCLUSION

Applicants have made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of the claims as amended.

Applicants believe there are no further fees due at this time, however, the Commissioner is hereby authorized to charge any additional fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

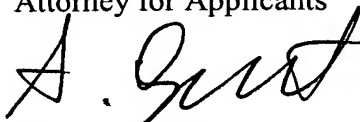
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PATENT APPLICATION
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If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2545.

Respectfully submitted,
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Limited Recognition No. L0225
Expires June 30, 2006
Limited Recognition Under 37 C.F.R. §11.9(b)

Date: 12/1/05

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